

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-659

September 17, 1998

DIRIGO ELECTRIC COOPERATIVE, INC.,
Request for Approval of Sample
Unbundled Bills and Waiver of
Chapter 309 § 5(B)(2)

ORDER OF APPROVAL

WELCH, Chairman; NUGENT, Commissioner

On September 9, 1998, Dirigo Electric Cooperative, Inc.¹ (Dirigo) filed a request for approval of proposed sample unbundled bills pursuant to Chapter 309 § 4. Dirigo also requested a waiver of Chapter 309 § 5(B)(2) that requires the informational statement be located on the same page as the unbundled rates for its members that will be using a "self-mailer" style bill. In this Order, I approve the bill format and grant the waiver request.

Dirigo submitted two sample bills for review and approval of their format:

1) a "self-mailer" style bill that is currently in use by HWC and MEW (sample bill #1); and

2) a recently developed "8½ by 11" bill that each member plans on using, though only FIEC, KLPD, SIEC, and VBLPD will likely be ready to use by January 1, 1999 (sample bill #2).

According to Dirigo, all its members are in the process of updating their billing and software systems to accommodate the format of sample bill #2 and will begin using this format on January 1, 1999, or as soon as possible thereafter. HWC and MEW are not as far along as the other Dirigo members in updating their billing systems and will likely use sample bill #1 until such time their billing systems can generate bills in the sample bill #2 format. Dirigo has requested a waiver of Chapter 309 § 5(B)(2) that requires the information statement be located on the same page as the unbundled rates for HWC and MWE. This is because the "self-mailer" style bill does not allow the inclusion

¹ Dirigo Electric Cooperative members are: Eastern Maine Electric Cooperative "EMEC"; Fox Islands Electric Cooperative "FIEC"; Houlton Water Company "HWC"; Kennebunk Light and Power District "KLPD"; Madison Electric Works "MEW"; Swans Island Electric Cooperative "SIEC"; and Van Buren Light and Power District "VBLPD". EMEC is a member of Dirigo, but has submitted its own proposed sample bill for review and approval and is therefore not included in this Order.

of the informational statement on the front of the bill and a complete redesign of HWC and MEW's billing system and forms is necessary to accommodate the sample bill #2 format. Dirigo has proposed to locate the informational message on the back of every HWC and MEW bill and display a bolded message printed in red ink on the front of the bill directing the customer to the back of the bill for more information on the unbundled charges.

Sample bills #1 and #2 are in compliance with the requirements of Chapter 309 §5(B), with the exception of the location of the informational statement on sample bill #1.

Pursuant to section 7 of Chapter 309 of the Commission's rules, the Director of the Consumer Assistance Division (CAD) may grant waiver requests, provided that "good cause" exists for granting the waiver and the waiver is consistent with the intent of the rule.

Dirigo has demonstrated "good cause" for requesting a waiver of Chapter 309 §5(B)(2) for its members using sample bill #1 for the reasons stated above and granting of Dirigo's waiver request is consistent with the intent of Chapter 309.

Accordingly, it is

O R D E R E D

1) that Dirigo's request for an exemption of Chapter 309 §5(B)(2) for HWC and MEW is granted;

2) that HWC and MEW include a bolded message printed in red ink on the front of their bills that states "PLEASE SEE REVERSE SIDE FOR MORE INFORMATION REGARDING THE CHARGES LISTED BELOW";

3) that HWC and MEW begin using the sample bill #2 format as soon as practicable after January 1, 1999; and

4) that the format for Dirigo's sample bills #1 and #2 are approved pursuant to Chapter 309 § 5(B) with the above conditions.

Dated at Augusta Maine, this 17th day of September, 1998.

BY ORDER OF THE DIRECTOR
OF THE CONSUMER ASSISTANCE DIVISION

Matthew F. Thayer

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at

the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.